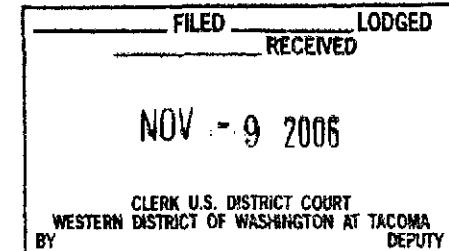


1 HONORABLE RONALD B. LEIGHTON
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4 05-CV-05306-ORD
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 GENERAL METALS OF TACOMA, INC., a
11 Washington corporation, and ARKEMA, INC.,
12 a Pennsylvania corporation,

Plaintiffs,

13 v.
14

15 BEAN ENVIRONMENTAL L.L.C., a
16 Delaware limited liability company, and
17 BEAN DREDGING L.L.C., a Louisiana
18 limited liability company,

Defendants.

19 NO. C05-5306 RBL

20 ORDER DENYING PLAINTIFFS'
21 MOTION FOR SANCTIONS

22 [PROPOSED]

23 THIS MATTER having come for a hearing before the Court on Plaintiffs' Motion to
24 Conduct Additional Discovery, Amend Expert Reports, and for Sanctions, Costs and Fees
25 pursuant to Fed. R. Civ. P. 26 and 37. Based upon a review of the record, IT IS HEREBY
ORDERED:

1. Plaintiffs' motion is DENIED.
2. If any of the documents that Bean produced in September 2006 have not been previously produced and are material to a previous deponent's testimony (or necessitate a change in an expert's opinion), the parties shall promptly meet and confer about the

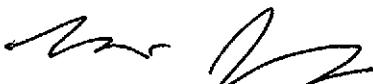
1 scheduling of a deposition of that deponent (or the amendment of an expert's report) related to
2 specific documents produced in ^{August and} ^{RBL} ~~September~~, 2006. If the parties are unable to reach agreement
3 after meeting and conferring in good faith, the matter can be properly brought to the Court's
4 attention by a telephone conference scheduled at the Court's convenience.

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9 Dated this 9th day of November 2006.

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12 HONORABLE RONALD B. LEIGHTON
13 U.S. DISTRICT COURT JUDGE

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15 Presented by:

16 CORR CRONIN MICHELSON
17 BAUMGARDNER & PREECE LLP

18 
19 William F. Cronin, WSBA No. 8667
20 Kevin J. Craig, WSBA No. 29932
21 Attorneys for Defendant
Bean Environmental L.L.C.

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ORDER DENYING PLAINTIFFS' MOTION
FOR SANCTIONS [PROPOSED] - Page 2
No. C05-5306RBL

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